

OFFICE OF THE MONITOR

NUNEZ, ET AL. V. CITY OF NEW YORK, ET AL.

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August 20, 2024

VIA ECF

The Honorable Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10006

Re: Nunez, et al. v. City of New York, et al., 11-cv-5845 (LTS) (JCF)

Dear Chief Judge Swain,

We write to provide an update to the Court regarding the Defendants' proposed supplemental findings of fact. The Monitoring Team has conferred with Defendants' and have been advised that Defendants' no longer intend to file a supplemental findings of fact in advance of the oral argument on September 25, 2024. As a result, there is no longer a need for the parties to meet and confer about the proposed finding of facts and for the Monitor to file a report to provide the requisite context for the topics and factual information that Defendants were going to submit to the Court.¹ Accordingly, the Monitoring Team respectfully recommends that the status report outlining the Parties positions on the supplemental proposed findings of fact, due on September 13, 2024 (per the Court's July 11, 2024 Order (dkt. 751)), is no longer necessary.²

¹ Pursuant to the Court's April 29, 2024 Order (dkt. 709), the Monitoring Team will file its next report with its compliance assessments on November 21, 2024. To the extent necessary, the Monitoring Team may file additional reports should the Monitor determine a report may be required based on the current state of affairs.

² This request is not intended to impact the Court's July 11, 2024 order that the parties file a proposed agenda of speakers, specifying the speaking order and allotted time for the Oral Argument, by September 24, 2024, at 12:00 p.m.

We appreciate the Court's attention to this matter.

Sincerely,

s/ Steve J. Martin

Steve J. Martin, *Monitor*

Anna E. Friedberg, *Deputy Monitor*